

Remarks

In response to the Office Action requiring restriction under 35 U.S.C. 121, applicants elect for prosecution at this time the claims of Group I, i.e., claims 1-10 and 32 drawn to a DNA vaccine.

For examination with the subject matter of Group I applicants elect the polypeptide of SEQ ID NO: 6 and the corresponding polynucleotide of SEQ ID NO: 5.

The foregoing elections are made without traverse.

Dependent claims 33 and 34, drawn to the elected polypeptide sequence and the elected polynucleotide sequence, respectively, have been added. Thus Group I is now constituted by claims 1-10 and 32-34, inclusive.

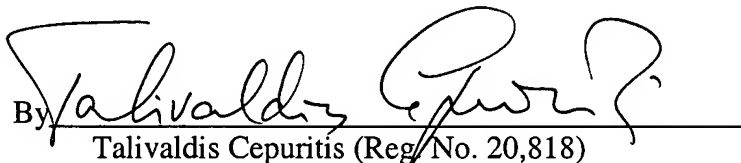
Non-elected claims 11-31, inclusive, are canceled without prejudice in favor of a divisional application.

In view of the cancellation of claims 11-31 no additional claim fees are deemed to be due at this time.

An early action on the merits is solicited.

Respectfully submitted,

June 2, 2004

By 
Talivaldis Cepuritis (Reg/No. 20,818)

OLSON & HIERL, LTD.
20 North Wacker Drive
36th Floor
Chicago, Illinois 60606
(312) 580-1180